IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7226 of 2005

Between:

R.A.S. Educational & Rural Development Society, Plot No. 10, Near Maheswari Theatre, Yenugonda, Mahaboobnagar, Rep by its President K. Srinivasulu Sresty

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep by its Principal Secretary, Medical and Health, Secretariat, Hyderabad.
2 The Directot of Medical Education, Govt. of A.P. Sultan Bazar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, writ or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondent in not issuing G.O. to establish R.A.S. School of Nursing to the petitioner's society is illegal, arbitrary, and violation of the principles of natural justice and consequently direct the respondent to consider the representation dt. 22-1-2005 and pass such other order or orders.

Counsel for the Petitioner: MR.VADDIPAMULETY

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

This Court at the admission stage made the following :

O R D E R:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not considering the request of the petitioner to establish R.A.S. School of Nursing to the petitioner-Society as arbitrary and illegal.

It is stated that in pursuance of the notification issued by the Chairman, Selection Committee for Paramedical Institutions, the petitioner has submitted its application complying with all the requirements. In pursuance thereof, the Chairman, Selection Committee appointed inspection team and the same has inspected and submitted its report. In the mean time, since the Selection Committee was disbanded, the second respondent-Director of Medical Education appointed another Inspection Committee to inspect the petitioner's School of Nursing. The only grievance of the petitioner is that the respondents have failed to take any further steps and no orders have been passed so far. In the circumstances, the petitioner made a representation dated 22-01-2005 requesting the respondents to accord permission to start R.A.S. School of Nursing, however, the respondents have not responded. Hence, this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Medical Health and Family Welfare appearing for the respondents.

Having regard to the facts and circumstances of the case, without expressing any opinion as to the entitlement of the petitioner to start the proposed institution, the writ petition is disposed of with a direction to the respondents to consider the representation dated 22-01-2005 submitted by the petitioner and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. No order as to costs.

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(**G. ROHINI, J**)

Date:04-04-2005

ghn

To

1 The Government of Andhra Pradesh, Rep by its Principal Secretary, Medical and Health, Secretariat, Hyderabad.
2 The Directot of Medical Education, Govt. of A.P. Sultan Bazar, Hyderabad.

3 Two CCs to the Government Pleader for Medical Health and Family Welfare, High Court of A.P., Hyderabad. (O.U.T.)

4 One CC to Mr. Pamulety.

5 Two CD copies.